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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/520,302 | 10/07/2005 | Marcus Albrecht | OST-041503 | 9830 |
| 22876 7590 06/24/2009 FACTOR & LAKE, LTD 1327 W. WASHINGTON BLVD. SUITE 5G/H CHICAGO, IL 60607 | | | | |
| EXAMINER | | | | |
| CHAUDRY, ATIF H | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3753 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 06/24/2009 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,302

Applicant(s)

ALBRECHT ET AL.

Examiner

ATIF H. CHAUDRY

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2009.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 05 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/11/09 has been entered.

Status of the claims

Claim 1 has been amended. Currently claims 1-12 are pending in this application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-3, 5-9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ott (US Patent 6589348) in view of Herre et al. (US PG Pub 20050173018) and further in view of Akeel (US Patent 5289947).
3. Regarding claim 1, Ott (abstract, lines 2-4) discloses a method of conveying paint between two pigs 18, 19 through a conveying line 2 wherein the pigs are transported by compressed air pushing from one side. The loading station 3 serves as a first pig station and the discharge station 5 as second pig station. Ott discloses a passage (vertical conduit leading to supply conduits 8) of the first pig station 3 extending between a connection to the paint supply source 8 and a connection to the pig line 2 and discloses a passage 11 of the second pig station 5 extends between a connection to the pig line 2 and a connection 15 to the paint application device. Ott fails to disclose a method of cleaning the path or a method of disposing residual paint. Herre et al. (abstract, fig. 17-20) teaches a method of cleaning the path of a paint supply line by introducing of cleaning solvent between two pigs 166, 168 at the discharge pig station 164 and teaches transporting of the cleaning between two pigs 166, 168 to the supply pig station 196 to clean the supply line P. It would have been obvious to a person having ordinary skill in the art at the time of the invention to have provided the paint supply system disclosed by Ott with a cleaning method as taught by Herre et al. in order to flush the supply line. Akeel (col 6, line 11) teaches a method of disposing excess paint via the discharge station comprising of a dump valve 142 and collection tanks 146. It would have been obvious to a person having ordinary skill in the art at the time of the invention to have provided the paint supply system disclosed by Ott with an excess paint removal

method as taught by Akeel in order to remove residual paint. The first pig station 3 (paint loading station) and the second pig station 5 (paint discharge station) disclosed by Ott are capable of receiving and holding the pigs when not in use, therefore can be considered as capable of temporarily storing the pigs.

4. Regarding claim 2, Herre et al. (abstract) teaches the cleaning agent as a liquid solvent.
5. Regarding claim 3, Ott (abstract) discloses that the thrust medium for the pigs can be compressed air.
6. Regarding claim 5, Ott (Fig. 2 and 3) illustrates two pigs together (Fig. 2) in absence of paint and the pigs pushed apart (Fig. 3, Items 3 and 22) due to paint introduced between them.
7. Regarding claim 6, Ott (column 3, lines 15-23) discloses specific quantities of paint introduced between the pigs, and also discloses (column 4, lines 3-10) pushing of the pigs by pushing medium (compressed air).
8. Regarding claim 7 and 8, Herre et al. (abstract) teaches (fig. 16, 17) the cleaning solvent being used as a pushing medium for the pigs 166, 168 and teaches (fig. 18) the pigs 166, 168 pushed together by a pushing medium A once a defined quantity of cleaning agent has been introduced between the two pigs.
9. Regarding claim 9, Herre et al. (page 1, para 6) teaches cleaning of the system by introducing solvent for a color change.

10. Regarding claim 11, Ott discloses (Fig. 4; col 2, para 29) sensor 34 which activates the electric voltage driven nozzle upon sensing the presence of pigs at the discharge station.

11. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ott (US Patent 6589348) in view of Herre et al. (US PG Pub 20050173018) and Akeel (US Patent 5289947) as rejected under claim 1, and further in view of Kendall (US Patent 5855062).

12. Ott fails to teach throttling of the air supply. Kendall (column 5, lines 52-57) teaches regulating the pig speed by using valves to controlling airflow which would inherently use partially blocking (i.e., throttling) the passageway of air. It would have been obvious to a person having ordinary skill in the art to have used the method of controlling flow taught by Kendall in the supply system disclosed by Ott in order to regulate paint supply.

13. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ott (US Patent 6589348) in view of Herre et al. (US PG Pub 20050173018) and Akeel (US Patent 5289947) as rejected under claim 1, and further in view of Prus (US Patent 4962724).

14. Ott fails to disclose cleaning with both compressed agent and compressed air. Prus teaches (col 2, line 3-5) a cleaning cycle for a paint supply system comprising a succession of injections of cleaning product and compressed air until the pipes are clean and dry. It would have been obvious to a person having ordinary skill in the art at

the time of the invention to have provided the paint supply system disclosed by Ott with cleaning cycle as taught by Prus in order to dry clean the system.

15. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ott (US Patent 6589348) in view of Herre et al. (US PG Pub 20050173018) and Akeel (US Patent 5289947) as rejected under claim 1, further in view of Sedlacsik (US Patent 2784350).

16. Ott fails to disclose coiling. Sedlacsik (Fig. 1; col 2, line 55) teaches an electrical paint delivery system comprising of a coil 20 to increase electrical isolation. It would have been obvious to a person having ordinary skill in the art at the time of the invention to have provided the paint supply system disclosed by Ott with a coiling line to increase electrical isolation of the paint system.

Response to Arguments

1. Applicant's arguments filed on 10/10/2008 have been entered but are not found persuasive.

Applicant's argument that the pig stations are not capable of temporarily storing the pigs is not found persuasive since it would have been obvious to a person having ordinary skill in the art that when not in use the pigs can be received in the opposite pig stations of the pig line. Furthermore, Ott is being used as primary reference disclosing the pig stations and Akeel is being cited to merely show incorporation of an excess paint disposing mechanism at the second pig station.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ATIF H. CHAUDRY whose telephone number is (571)270-3768. The examiner can normally be reached on Mon-Fri Alternate Friday off 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571)272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Atif H Chaudry/
Examiner, Art Unit 3753

6/4/2009

/Robin O. Evans/
Supervisory Patent Examiner, Art Unit 3753